

In remark (4) of the Oct. 17, 2003 office action, the reviewer states that Olivera also claims verification can be implemented without the patient being present (col. 8, lines 41-46, col. 9, lines 23-43). Whereas in those lines what actually is described is replacing the patient with a phantom and verifying the dose delivery to a phantom instead of to a patient.

In further support of the patentability of our process, we are enclosing here a copy of a journal paper describing our process: "A dose delivery verification method for conventional and intensity-modulated radiation therapy using measured field fluence distributions", Medical Physics 30(11), Nov. 2003, pages 2996-3005, by Renner et.al. We note further that the algorithms employed are sufficiently described on page 2999 as it is also described in the patent application.

### Conclusion

For all of the above reasons, applicant submits that the claim is now in proper form, and that the claim defines patentably over the prior art. Therefore he submits that this application is now in condition for allowance, which action is respectfully solicited.

Respectfully submitted:

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Sworn and subscribed to before me this

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Signed *Sandra Cederbaum*

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Notary Public, My commission expires 8-1-2006

